

F I L E D

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

97 FEB 24 AM 8:58

U.S. DISTRICT COURT  
N.D. OF ALABAMA

TIMOTHY E. BETHUNE, )  
vs ) CIVIL ACTION NO. 96-PT-1643-E  
Plaintiff, )  
OFFICER DAVID SPARKS, )  
THE CITY OF TALLADEGA, and )  
THE TALLADEGA POLICE )  
DEPARTMENT, )  
Defendants. )

*wp*  
**ENTERED**

FEB 24 1997

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation, and the objections of the plaintiff, and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the Magistrate Judge as the findings and conclusions of the court. In accord with the recommendation, the defendants' motion for summary judgment is due to be granted and this complaint is due to be dismissed. An appropriate order will be entered.

DONE, this 24 day of February, 1997.

  
ROBERT B. PROPST,  
UNITED STATES DISTRICT JUDGE

13